OF ROLAND B. MOLINEUX.

This is the chronology of the case of Roland B. Molineux, con-

Mrs. Katherine J. Adams died by polson at her home, No. 61

Roland P. Molineux was arrested, charged with sending the

After a trial lasting fifty-seven days, he was found guilty of

He was sentenced to death by Recorder Goff and taken to Sing The case was carried to the Court of Appeals by his counsel,

The Court of Appeals adjourned without rendering a decision

Roland B. Molineux has spent one year, seven months and

His trial cost the county \$100,000, and on the appeal 1,680,000

CHRONOLOGY OF THE CASE

victed of the murder of Mrs. Katherine J. Adams:

poison, and committed to the Tombs Feb. 27, 1899.

twenty-nine days in the death cell at Sing Sing.

West Eighty-sixth street, Dec. 28, 1898.

nurder in the first degree Feb. 10, 1900.

ords were submitted in evidence.



seen, is the creation of counsel upon the argument of the appeal, never having been suggested upon the trial.

Identity Not Established.

"Fifth—As to identity.

"Another exception to the general rule is that when the evidence of an extransious crime tends to identify the person who committed it as the same person who committed the crime charged in the indictment it is admissible.

"What is there in the evidence of the alleged killing of Barnet that tends to address a Link.

material. Indeed, it is common

conceled by him at the trial to be his genuine handwriting.

"The second class consisted of the so-called request writings, seven in number, admitted to have been written by the defendant, under the circumstances disclosed in the statement of facts.

"The third class consisted of nine so-called Barnet letters, itself, sive Barnet envelopes and three so-called Cornish letters, These Barnet and Cornish letters, although unlike in many respects, and introduced in part for different puiposes, may be classed together in considering the questions arising out of the exceptions taken to the rulings of the exceptions taken to the rulings of the court upon the subject of comparison of handwriting. son of handwriting

to be such, provided that the writing is not admissible under other rules of evidence.

"The statutes were clearly intended to remove the restriction which at common law limited the comparison of a disputed writing either with other writing put in evidence for other purposes than comparison or with standards existing in the limited withing of the person sought to be charged with the disputed writing.

"The class of disputed writings which may be proved upon the trial of an issue has neither been enlarged nor restricted.

The admissibility of such disputed writings depends upon other rules than either the common law or the statutory viles respecting comparison of handwriting stepends upon other rules than either the common law or the statutory viles respecting comparison of handwriting is inself either a fact in issue or relevant to the issue under the indictment herein.

"If it is neither in issue nor relevant to the issue, they could not be received setlety as standards of comparison because they were obviously prejudical to the defendant.

"As to the Cornish letters, it is sufficient to say at this time that the general rule on the subject of handwriting expert testimony which we have init and court in the disposition of the blazed, bars,

lessed killing of Barnet that tends to lentify the defendant as the person who obsoned Mrs. Adams? Assuming Bartet to have been killed by the defendant, the crime has its own separate molve, intent and plan. This is equally rue of the crime charged in the indiction.

"The mere fact that the two crimes are parallel as to the methods and neans employed in their execution does not serve to identify the defendant of the poisoner of Mrs. Adams, unless his for having forged exhibit A, were on trial form its similarity to the former.

"Such an inference might be justiced if it had been shown conclusively that the defendant had killed Barnet and that no other person could have killed Mrs. Adams, and exhibit A, but since the fact in issue, and might be compared with the 'conceded writings' in order to establish the defendant's responsibility for the death of Mrs. Adams, and exhibit 'A' only a given.

material. Indeed, it is common knowledge that there are many such persons. Therefore the takel similarity of those crimes proves nothing.

"As briefly as possible and yet, perhaps, at greater length than was necessary, we have discussed each of the five foregoing exceptions to general rule, in the effort to exclude them, one by one from application to case at bar. If as we think, we have successfully eliminated each of them, then they are all removed from the case and it necessary it follows that none of the flarence evidence was relevant or competent to prove the murder of Mrs. Adams.

"Is to the evidence of handwriting:
"For the purpose of proving that the package of poison received by Cornish the prosecution offered and the Court admitted as standards of comparison three classes of writings. The first class consisted of fifty-six specimens of defendants handwriting gathered from various places and in sundry ways, and connected by him at the trial to be his gennine handwriting.

"The second class consisted of the so-called request writings. Seven in hum-first refuse to writings. The first class consisted of diffy-six specimens of defendant wrote the address upon the prosecution offered and the Court admitted as standards of comparison in the publicity of the case and the known suspicion of the police and proceeding nuthorities against the defendant wrote the address upon the prosecution offered and the Court admitted by the court was the standards of comparison difficulty was allowed to epidemant at the trial to be his general rule, in the trial to the standards of comparison difficulty was allowed have supported to except the submitted by the court was the screen of the opidion that it was the screen of the op

on of handwriting.

Entirely New Question.

The precise question never appears

have been decided in any of the comparing and the Cornish letter to sustain the charge that he murder Mrs. Adams. Both were subsequent treated as evidence tending to come the defendant with each of the crim said to have been committed by him.

to have been decided in any courts of this Sinte, probably for the reason that the par has deemed the statutes too plain to warrant so fancts full a censtruction as the defendant's counsel attempts to give them livre.

"We think it too clear for extended argument that the 'disputed writing' referred to by the statutes is any writing which one party upon a rial seeks to prove as the senuthe handwriting of any person, and which is not admitted to be such, provided that the writing is not admissible under other rules of evidence.

"All of these letters were also re evidence in standards of comparison from which to determine who wrot the poison prackage address. They may have a possible to the considered together for the any person, and which is not admissible under other rules of evidence.

"All of these letters were also re evidence in standards of comparison from which to determine who wrot the poison prackage address. They may have a force to the considered together for the provide under this head.

The statutes of 1884 and 1885 provide that the comparison of a dispute the poison prackage address. They may have a series of the poison prackage address. They may have a subject to be sentially and they be read to be such, provided that the world is the constraint of the court are to construe the first the comparison of a dispute the poison prackage address. They may have a subject to be such, provided the provide the considered together for the court for the court

question, which may arise as to them EVENING WORLD

Evidence Before Coroner. Another point urged upon our atten-in by counsel for the defense is that a learned trial court erred in admit-ing in evidence upon the trial the tea-nony of the defendant given at the

BARTOW S. WEEKS TELEPHONES NEWS

Bartow S. Weeks. Molineux's attorey, was in the office of The Evening arrived from Albany,

Jackson, who answered the 'phone, that | he wished to send the good news to

"I would be glad to take the news to tive. "but our instructions are to take no news to any of the condemned men." The Warden was sent for and in repouse to a request from Mr. Weeks

Mr. Weeks sent this message: "The ourt of Appeals has granted you a new rial. Congratulations."

touse at 3.05 o'clock. Molineux was cated in his cell gazing into space. At he sound of the click of the big iron key in the heavily barred door the orisoner jumped to his feet.

He peered through the big iron bars of face of the Warden the news he has so

ager to learn the fate of their telow prisoner as if the decision was on oir own case. The death house is reaking the awful monotony,

The eyes of all followed the Warden

"Yes, Warden?" gasped the prisoner, is face pale, his lips trembling, "I have a message for you," continued be official. Mollneux sighed deeply, his eyes

blazed, his fingers clutched the iron

promounced him guilty of Kate J. o the bars. The Warden's right hand bail. The releasing of a convicted man

was the first handshake permitted

sions from the accused poisoner. Molineux resumed his seat. His next cellinate kept up a rapid fire of ques-tions at him, which he answered cheer-fully, "I hope all you boys will get out of lere," he said. "I wish I could help you."

FLASHED THE NEWS.

ne Court of Appeals at Albany The of Molineux on a second trial.

peals in Albany direct wires of the Three of the Judges have upheld his

to the village of Ossining, the

open to the village of Ossining, the prison at Sing Sing and the private office of Gen. Molineux in the Devoe Plate of Gen. Molineux in the Devoe Plate written by Judges Werner, of Roch, and Judges O'Brien, Bartlett and a gareed with him in that opinion, if Judge Parker and Judges Haight (Gruy dissented from the prevailing ion on the admission of the testicy relative to the death of Henry C. Inst. struments in The Evening World office had begun to click off the news. Ten econds later, the news was being read off simultaneously to those to whom Roland Molineux's fate is most dear.

"Just what I expected," said Gen. E. L. Molineux, this afternoon by an Melineux, tears screaming from his Evening World reporter. World when the news of the new trial happy eyes. "I thank The Evening World for hurrying me this glad news." Spring street, which, for the first time When 2 o'clock came Mrs. E. L. in all the months she has lived in Sing the news to his client in the condemned Molineux, the aged mother of the Sing, she did not leave to-day. Warden in the prison was called up on months in the death cell of Sing Sing. The office of the man who has spent so many weary Arrangements had been made that the Warden in the prison was called up on months in the death cell of Sing Sing telegram of the decision be sent to her prison, could no longer restrain her

of her boarding place.

Following the announcement of the most certainly for a new trial, Court's ruling, the statement of the Shortly after 2 o'clock, when The Even-Evening World, and, working in short at once. relays, the decision was transcribed, Evening World office without delay.

Word of the decision was at once comnunicated to the District-Attorney and

torneys for the prisoner. Assistant Disthe conviction of Molineux, sent Assist-All the condemned men peered Evening World office and Mr. Bartow through the doors of their cells, as S. Weeks hurried over from his office to review the verdict as it was taken off gives me a new lease of life, as well as Mr. Weeks was jubilant, but not sur-

at every footfall in the hope of his favor, as had been foreshadowed for over a week past in The Evening World. gracious manner which has so endeared the eyes of all followed the Warden he silently walked to Molineux's The Evening World offers me." he said.

"You will forgive me," she said, "but I cannot discuss the matter excepting to say that I believe now my son will go free.

"Everything I read shows that the ruling of the Court bears out all our contentions in the barring out of the Barnet evidence. I notice that the enable itse Court concurs in the striking out of the court concurs in the court concurs and the prison.

"You will forgive me," she said, "but the probable the prison.

"You will forgive me," she said, "but the probable that the prison.

"You will forgive me," she said, "but the probable to the prison.

They were given ther more oney they counts could be verified.

"I hardly realize it at all. You must at all. You must the peaking of the situation to-day President They were given their were probably 200 people in line.

They were given ther they were probably 200 people in line.

T Barnet evidence. I notice that the en-tire Court concurs in the striking out Mrs. Molineux was not, as she had

"I have word from Mr. Weeks, your the first trial. This was certainly the

Lawre: Weeks Tells of Plans. that had crept into the young "Mr. Molineux will be brought from

> We shall not apply for his release on of, although it is within the jurisdiction

"Regarding a change of venue I am not prepared to say anything. Circum-

men had said something encouraging.

The Warden quickly withdrew after outlay would be justified in the ecciving a shower of thankful expres- event of a conviction being doubt-

the Court of Appeals ruling, the

"Speaking for myself, and not for the ant District-Attorney Townsend this afouncement of the Molineux verdict in very difficult to obtain a conviction

against the admission of the Barmade by analogy. Cut out the Barnet testimony and the strongest the ground.

"For all that, I think Mr. Osborne, een devised and worked without hitch the conviction of Molineux, need not a accomplishing this speedy result. feel that his glory has been warped by From the chamber of the Court of Ap- the ruling of the Court of Appeals,

OVERJOYED.

OSSINING, N. Y., Oct. 15 .- News of the decision of the Court of Appeals to grant a new trial to Roland B. Molineux

She was at her boarding-house in

at her boarding-house, and she remain Warden Johnston at the moment was anxiety. Knowing The Evening World attending a meeting of the Pardon messenger was to hurry to her the tidhoard. Mr. Weeks told State Detective lings, good or bad, she came to the door. A boy was sent down to the prison twice in the forenoon with the message

Something in the face of the mes- to her son that nothing had yet been enger that hurrled up the road to her heard. At 11 o'clock a telegram came told her that her heart's desire was ful- from Albany from a friend announcing that the decision was reported to be al-

Court and its rulings on the case were ing World reporter sent up a message read. Expert stenographers caught that the decision and its details were very word from the bench for The at her disposal she came downstairs

"What have you heard?" she asked turned over to the telegraph operators quietly as she entered the room. She and filed in sections with the Western remained standing, but when she was Union and Posial Telegraph Compan-ies operators, in order to reach. The said simply: "This is correct? You are sure?" She stepped to the porch, spoke Weeks Hurries to Evening World, a few words to a man cutting the grass in the yard, and he immediately started "I thank you," said Mrs. Molineux as

she came back. Gives Her a New Lease of Life.

"I am very grateful to every one, Every one is so kind, but there is nothing to say, is there? "I am thankful with all my heart. I

lonely place, and its inmates grasp prised. He had expected a verdict in know?" She moved toward the door and then turned with the charmingly

to her son. Word was received at the prison as soon as the decision was eached. Good news travels as fast as One of the keepers was allowed to tell almost half an hour before his mother reached the prison.

Hears Without a Tremor. "He did not say much," said Warden he has never shown a trace of nervous-You might have thought he'd be uneasy,

"I knew it; I knew it."

the cell without another word.

"He's got a hold on himself like ten men," said the keeper, "All the while he was waiting for the news this morning he sat quietly in his cell, only now and then walking a step or two from him and his head down. He exhibited no nervousness and ate a hearty break

"But he did one thing," said one o the attendants. "Somebody ought to laugh at him, for when the man took away his breakfast things this morning Mr. Molineux called after him: 'Goodnight.

'IT IS JUST WHAT I EXPECTED.

Gen. Molineux sat in his private office on the second floor of the Devoe Paint Works, corner of Plymouth and Gold streets, Brooklyn, when the news came that a new trial had een granted his son.

The information was brought him by reporter for The Evening World. He was deeply affected. With tears in its eyes he said:

"It is just what I expected. "My boy will yet be free. There is nothing more I can say, except to thank The Evening World for this good news. Gen. Molineux's son Cecil, who is employed in the Devoe works, was also told of the granting of a new trial to his brother Roland.

Could Scarcely Believe It. "Are you sure the news is correct?" he asked as he stopped in his work. "It has just been received from Al-

bany," he was told.
"Then hurrah!" he shouted, throwing his hat up to the celling. "We have been under suspense so long

that we can hardly express our feelings. "This is what we have been confidenty expecting for so long. I am glad for suspense is at an end."

Gen. Molineux at once communicated the good news to his son's wife, Mrs. Blanche Chesebrough Molineux, and she was overloyed. He said that she was stopping with friends in this city, and that she would leave with him on an early morning train for Sing Sing, where, together with the aged mother, they would share the prisoner's happiness.

FIDELITY RUN CONTINUED.

Trust Company of Buffalo Meets Demands of All Depositors.

BUFFALO, Oct. 15 .- The run on the fidelity Trust Company continued to-

THREAT TO STEAL CHILD.

MRS. ROLAND B. MOLINEUX.

to Pay \$500. Principal Frank R. Stevens, of Public School No. 108, Linwood street and Ar- Whethe Angton avenue, Brooklyn, has received I will pros alf an hour before his mother the prison.

In the prison.

In the which threatens that unless 500 be paid the writer Mr. Stevens's four-year-old son, Arthur Whitney Stevens, will be kidnapped. Mr. Stevens has placed the communication in the hands of the police, and detectives are at work on the case.

In the sa gritty fellow, and of the police, and detectives are at work on the case.

In the principal lives on Monroe street and has a wife and three children—two girls and one boy.

According to the keeper who told Moll-

1-21-19-19-19-19-19-19-19-19-19-19-19-19-19			
PARLOR. Fine Velour Par-	***************************************		Golden oak
ench bevel glass; rior Table (brass e t); handsome imp, Silk Lamp ade, pair of hand- ne Pictures, large lental Ruz. 7.6x 6; 1 Rocker, 2	DINING - ROOM. Oak Sideboard, bevel mirror; leath- er Couch, 6 oak cane-meat Chairs, oak Dining Table. English Tea Set, 56 pleces; handsome Table Cover, 16	KITCHEN.	en-wire fied Spring, soft-top Mattresses, pair Feather Pillows, Comfortable, 1 o a k C h a i r, 12 yds. Matting, English Tollet Set, 10

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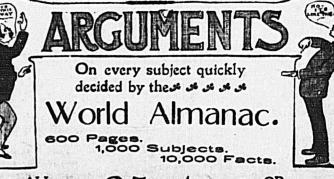
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MASS MEETING IN COOPER UNION TO-NIGHT, OCT. 15, 1901,

> HON. WM. TRAVERS JEROME. HON. EDWARD M. GROUT. REV. JOHN P. PETERS, D. D., REV. THOS. R. SLICER, D. D.

NEWSDEALERS 25 Cts. BY MAIL



at 8 o'clock, under the auspices of The City Vigilance League of New York. SPEAKERS: my Ather's and mother's sake that the WHEELER H. PECKHAM, ESQ., Chairman.
HON. FRANK MOSS. HON. OTTO KEMPNER,

